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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,921	02/10/2006	Taro Kurita	284921US6PCT	5890
22850 7590 12/13/2010 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER JACOB, AJITH				
ART UNIT 2161		PAPER NUMBER		
NOTIFICATION DATE 12/13/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/567,921

Applicant(s)

KURITA, TARO

Examiner

AJITH JACOB

Art Unit

2161

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/200)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 7/10.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Segal et al. (US 2001/0000505 A1).

For claim 1, Segal et al. teaches:

A mobile phone [phone, 0048], comprising:

a communication section configured to transmit/receive data through a wireless or wired transmission path [network connection, 0090];

data processing section configured to process the data transmitted/received by the communication section [data process for communication, 0048];

a memory space in which a file processed by the data processing section is arranged; archive-file creating means for creating an archive file for at least one file to be backed up, wherein identification information of a destination terminal at which the archive file is to be decompressed is attached to the archive file so that the archive file can be decompressed only at the destination terminal specified by the identification information [archive information is stored in memory, 0134]; and

means for generating, in the memory space, an access management information file that includes a counter value indicating a maximum number of times that the archive file can be accessed [counter units for access, 0108].

For claim 2, Segal et al. teaches:

The mobile phone according to claim 1, further comprising access management means for managing access to the at least one file whose archive file was created [authorized access, 0048].

For claim 3, Segal et al. teaches:

The mobile phone according to claim 2, further comprising file-link designating means for designating a link of files to be simultaneously opened [user information to retrieve together, 0120],

wherein the file associating designating means generates a file-link designating file that designates a link between the at least one file whose archive file was created and an access management information file in which access management information for the at least one file is described [system server accessed for linked records, 0120], and

when the at least one file whose archive file was created is accessed, the access management means simultaneously opens the access management file, performs access management in accordance with the access management information, and updates content of the access management information [update system server and its records, 0120].

For claim 5, Segal et al. teaches:

The mobile phone according to claim 1, wherein the memory space employs a directory structure [sets saved, 0134], and

the archive-file creating means creates an archive file for a directory to be backed up, wherein identification information of a destination terminal at which the archive file for the directory is to be decompressed is attached to the archive file [communication information stored in server and memory, 0134].

Claim 6 is a method of claim 1. Segal et al. teaches the limitations of claim 1 for the reasons stated above.

Claim 7 is a method of claim 2. Segal et al. teaches the limitations of claim 2 for the reasons stated above.

Claim 8 is a method of claim 3. Segal et al. teaches the limitations of claim 3 for the reasons stated above.

Claim 9 is a method of claim 4. Segal et al. teaches the limitations of claim 4 for the reasons stated above.

Claim 10 is a method of claim 5. Segal et al. teaches the limitations of claim 5 for the reasons stated above.

For claim 11, Segal et al. teaches:

The mobile phone of claim 1, further comprising:

means for authenticating the access management information file using an independent key different from a symmetric key used to authenticate the archive file [access key, 0100 and unit key, 0099].

For claim 12, Segal et al. teaches:

The mobile phone of claim 1, further comprising:

means for simultaneously authenticating the archive file and the access management information file [authorization and control after authentication, 0093].

Response to Arguments

3. Applicant's arguments filed September 21, 2010 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's argument.

Applicant argues that Segal et al. (US 2001/0000505 A1) does not teach archive creating means for creating an archive file for at least one file to be backed up, wherein identification information of a destination terminal at which the archive file was to be decompressed is attached to the archive file so that the archive file can be decompressed only at the destination terminal specified by the identification information. Applicant also argues that reference does not teach means for generating, in the memory space an access management information file that includes a counter value indicating the maximum number of times the archive file can be accessed. The reference clearly teaches the algorithm generation of information in a airtime cartridge with unit key for sharing with the server [0134]. This teaches the ability to share information from a storage in the airtime cartridge at a defined location. The reference

also clearly teaches the ability to have a counter to keep track of amount of usage exhausted to limit use [0107], thus having a limit on access as defined in the instant application.

In light of the forgoing arguments, the 35 U.S.C. 102 rejections are hereby sustained.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajith Jacob whose telephone number is 571-270-1763. The examiner can normally be reached on M-F 7:30-5:00 EST, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/4/2010

/Etienne P LeRoux/
Primary Examiner, Art Unit 2161

AJ
Patent Examiner